Appendix 5

Appendix Contents

Note: Appendices in the *Idaho Special Education Manual* contain a variety of technical assistance information, including sample letters and forms, suggestions for dealing with special education issues, and copies of various laws. The appendices should be viewed as additional resources to Chapters 1-14 in the *Idaho Special Education Manual*. The district is *not required* to adopt as policy or procedure any of the appendices in this manual to receive IDEA funding.

Appendix 5A
BEST PRACTICES FOR IEP DEVELOPMENT AND IMPLEMENTATION

This appendix can assist individualized education program (IEP) teams in moving beyond mere compliance with the Individuals with Disabilities Education Act (IDEA) to a process for conducting better IEP team meetings and developing more meaningful IEPs. The approach presented here springs from the book *Better IEPs* by Barbara D. Bateman.

This appendix will address the following questions:

- How does the IEP team prepare for an effective IEP team meeting?

- What are the IEP team members' roles at the IEP team meeting?

- What is a way to conduct an effective IEP team meeting?

- What is an example of an IEP goal and benchmark/objective that result from an IEP team meeting as described in this appendix?

- What are team members' responsibilities after the IEP meeting?

The model described in this appendix ensures that the IEP process focuses on the student, not on merely completing forms to ensure compliance with the law. The model works best with simplified forms that serve to record IEP team decisions rather than drive the team's discussion. The process is similar to the process used in person-centered planning meetings. In practice, this model has consistently been found to be parent- and-student-friendly, and to result in better quality IEPs.

The success of this model is the adoption of a paradigm that incorporates the parent and/or adult student as a full and respected team member. The model is not just a step-by-step procedure. It focuses on the process and outcome of an appropriate educational plan. The model encourages IEP team meetings that are both relaxed and professional. Experience has shown that meetings that were expected to be emotionally charged, adversarial, or even hostile become positive and productive when this model is used. Parents with significant experience with IEP team meetings, even adversarial ones, have commented that this model provides opportunities for the best IEP meeting involvement.

A. How does the IEP team prepare for an effective IEP team meeting?

1. Parent and/or Adult Student Preparation

The IEP team shall ensure that the parent and/or adult student is informed of his or her role as a full and equal participant in the IEP meeting and understands the kind of input that will be most helpful. As the individual most knowledgeable about the student at issue, the parent and/or adult student is the primary source of medical, social, and

educational information. He or she can also provide records from outside service providers or any additional information that may be pertinent to the student's needs. The parent and/or adult student shall be contacted before the IEP meeting and shall be advised of the type of information he or she may bring to the meeting. A helpful document is the "Student Profile" form developed by the SDE & IPUL.

The IDEA requires that the parent and/or adult student be included in discussions regarding the assessment decision and that he or she be given an opportunity to provide information to assist the team in doing an appropriate evaluation. Especially in the case of an initial placement, an appropriate IEP team member should discuss how the evaluation and IEP process works and how the parent and/or adult student can most effectively participate.

2. Professional preparation

    One model is to prepare a DRAFT of the IEP for distribution and comment prior to the IEP team meeting. A draft IEP should be clearly identified as a draft, be shared with the parent and/or adult student, and not finalized until the IEP team meeting.

3. Setting

    Meetings should be held in a setting that is comfortable for all participants. The furniture and the atmosphere should be appropriate for a professional meeting. Meeting the parent at the building door, walking with them to the room and sitting next to them during the meeting can communicate support. A parent and/or adult student should never be required to sit in a small chair or at an uncomfortably low table. Interruptions should be kept at a minimum, and reasonable time should be allotted so that no one feels rushed. *All required participants should plan to be present for the entire meeting and to be active participants*.

STUDENT PROFILE

Student's Name:_____ Birth date:_____
School:_____ Phone:_____
Teacher:_____ Grade Level:_____

1. My child's interests include: _____
_____

2. My child is ready to learn: _____
_____

3. My child is best at: _____
_____

4. My child needs the most help with: _____
_____

5. My child has received the following help in the past: _____
_____

6. Problems with my child's current program: _____
_____

7. Possible alternative and/or additions to my child's current program: _____
_____

8. Services that my child needs: _____
_____

9. Special concerns I have about my child: _____
_____

10. Questions I want to ask about my child: _____
_____

11. Suggestions I have about working with my child: _____
_____

12. Strengths my child has in the area of:

   Academics: _____
_____

Speech; _____

_____

Motor: _____

_____

Social/Behavioral: _____

_____

Vocational/Prevocational: _____

_____

Self-help: _____

_____

13. Concerns I have for my child in the following areas:

Academics: _____

_____

Speech: _____

_____

Motor: _____

_____

Social/Behavioral: _____

_____

Vocational/Prevocational: _____

_____

Self-help: _____

_____

B. What are the IEP team members' roles at the IEP team meeting?

Student (if rights have not transferred)	The student's role is to participate and to have ownership in his or her IEP.. The student can attend a portion of the meeting, but is not required to be there for the entire meeting. The student shall be invited when secondary transition is discussed. If the secondary student does not attend the IEP team meeting, the public agency shall take other steps to ensure that the student's preferences and interests are considered.
Parent and/or adult Student	The parent and/or adult student provides relevant information regarding any assessments previously performed by agencies other than the current district. The parent and/or adult student also provides his or her observations of the student's educational needs. The parent's or adult student's membership is fully recognized and appreciated as an equal member of the IEP Team in reaching consensus.
District Representative	A district representative is an individual who meets the criteria of a district representative. He or she shall be knowledgeable about the general education curriculum, about the availability of resources in the district, and is qualified to provide or supervise the provision of special education. The school principal serving as the district representative provides him or her with the opportunity to actively participate in the meeting.
Special Education Teacher	The special education teacher will generally be the student's case manager and is often the team member most knowledgeable about the student's special education program. He or she should provide a summation of assessment information as it pertains to each area being discussed.
General Education Teacher	The general education teacher is the student's general education teacher or a teacher qualified to provide education in the type of program in which the student may be placed. He or she should have clear ideas about what areas of the general education curriculum need to be addressed in the IEP. If the student has many teachers (e.g., middle school, junior high, or high school), not less than one general education teacher shall attend, but they are not all required to attend the IEP meeting. Input from *all* the student's general education teachers in the content areas at issue should be obtained and brought to the meeting. Each of these general education teachers shall be aware of the goals and benchmarks/objectives and of how to meet the goals and benchmarks/objectives in his or her setting.
Others	Psychologists, speech-language pathologists, occupational therapists, physical therapists, transportation personnel, vision and hearing specialists, school counselors, social workers, school nurses, service coordinators, vocational rehabilitation counselors, adult service providers, etc., are generally not required by law to attend IEP meetings. Such individuals may serve as team members or participate by providing written reports, sharing relevant assessment information and designing meaningful services.

C. What is one way to conduct an effective IEP team meeting?

1. Prior to the IEP meeting, an agenda should be developed outlining the purposes and sequence of events. It should be developed by the case manager through communication with the parents.

2. Gathering Information

    All legally required participants should be present. One team member should be designated to keep the meeting focused, on task, and moving along. This includes facilitating greetings, introductions, amenities, and then leading and guiding the participants through the agenda. For an initial or annual review IEP meeting, the discussion begins by listing the following student characteristics:

    a. strengths, including present levels of performance;

    b. needs, including present levels of performance; and

    c. general goal areas and services to address needs.

    The method of listing these stages of IEP development should be highly visible to all participants, e.g., chalkboard, flip chart, projection equipment.

    The parent and/or adult student should be given the opportunity to share what he or she sees as the student's strengths and needs before professional reports, which may include intimidating jargon. This approach allows the parent and/or adult student to be actively involved from the onset. The special education teacher, general education teacher, specialists and other related service personnel then share information on what they see as the student's strengths and needs, including present levels of performance. The process is more effective as an open discussion rather than a "take turns reporting" type of format. Using a blackboard, a flip chart, or projection equipment, a team member generates a list from this information in the format shown in Example 1 on the next page.

Strengths including present levels of performance	Needs including present levels of performance	General goal areas and services to address needs
Likes to play simple games on the computer.

Loves to look at books.

Understands and follows 2-step verbal directions. | Has temper tantrums, needs to be compliant at home and at school.

Student needs to be potty trained.

Nonverbal—needs to develop neighborhood friends and learn to initiate social interaction. | Develop behavior plan based on assessment data to eliminate tantrums.

Goals for toilet training.

Establish an alternative communication system using an AT device. |

Example 1: Label the three areas that will be addressed using a blackboard, a flip chart, or projection equipment.

As an alternative to this process, the McGill Action Planning System (MAPS) or a similar process could be used when:

a.   a new student moves into the district;

b.   developing a secondary transition plan;

c.   a student is transitioning from one school to another; or

d.   significant changes or turning points occur in a student's life and new information may be needed by the IEP team.

The MAPS process takes more preparation and involves a broader spectrum of participants, which may include relatives, peers, classmates, siblings, or caseworkers. All participants should receive the agenda in advance so they can be prepared for the discussion. The agenda should outline the eight areas to be discussed, as identified in the table, below.

1. What is Lee's history? This information provides an overview of the student's life.
2. What is your dream for Lee? This gives the parent and/or adult student the opportunity to express his or her wishes and desires for the student.
3. What is your nightmare for Lee? This gives the parent and/or adult student the opportunity to share his or her concerns and fears regarding specific situations.
4. Who is Lee? This information should describe the characteristics and qualities of the student.
5. What are Lee's strengths, gifts, and talents? This information focuses on the student's abilities instead of the negative aspects.
6. What are Lee's needs? This information provides insight from all team members regarding possible goal areas.
7. What is Lee's ideal day? This outline of the student's day will assist the team in determining when and where specific goals could be addressed and how the student will participate with peers in daily routines.
8. What is the action plan for Lee? The action plan describes who will do what by when based on the student's needs as identified by the team.

Example 2: Using the McGill Action Planning System (MAPS) or a similar process, label the eight areas to be addressed using a blackboard, a flip chart, or projection equipment.

For more information regarding the MAPS process refer to:

Forest, M., & Lusthaus, E. (1990). Everyone belongs. *Teaching Exceptional Children*, *22*, 32-35.

Stainback, S., & Stainback, W. (1996). *Inclusion: A guide for educators.* Baltimore MD: Paul H. Brookes Publishing.

3. Transferring Information to the IEP

    From the information generated in step one, the special education teacher, related service provider or designee records the list of strengths, needs, and services in the team minutes or in the appropriate sections of the IEP form. (Note: IEP Team meeting minutes are not part of the official IEP document.)

    General goal statements and benchmarks/objectives are then written on the IEP form. See D below for discussion regarding goal development. The parent and/or adult student may or may not be present when the specific goals and benchmarks/objectives are written and finalized. Regardless, if the parent and/or adult student is not in attendance when goals and benchmarks/objectives are written, the finalized IEP is sent to the parent and/or adult student with written notice prior to implementation.

4. IEP Service Description

    The special education teacher or service provider discusses with the parent and/or adult student and related service personnel the services needed; the frequency, duration, start date, and location; and modifications. These are written in the service description section of the IEP. Also at this point, the following items can be discussed, determined, and documented in the team minutes or the appropriate sections of the IEP form:

    a. participation in special education services;

    b. participation in statewide or district wide assessment;

    c. transition services;

    d. the need for extended school year (ESY) services; and

    e. least restrictive environment (LRE) requirements.

    The parent and/or adult student and teachers determine accommodations and/or adaptations needed. They may review a checklist of accommodations and adaptations developed by the district and select those that will be used with the student in the general education classroom. The checklist becomes a supplemental page to the service description of the IEP, and a copy is given to the parent, adult student, and classroom teacher.

The following table defines accommodations and adaptations:

Accommodations, Adaptations & Alternative Curriculum		
Accommodations or adaptations apply to the general education curriculum to meet the individual needs of a student with a disability.		
Accommodation	**Adaptation**	**Alternative Curriculum** *or* **Supplemental Curriculum**
Changes in the curriculum, instruction, or testing format or procedures that enable students with disabilities to participate in a way that allows them to demonstrate their abilities rather than disabilities. Accommodations are generally considered to include assistive technology as well as changes in presentation, response, timing, scheduling, and settings. Accommodations do not invalidate assessment results.	Fundamental changes to curriculum, instruction, and/or assessments that enable students with disabilities to participate. Adaptations include strategies such as reading the reading portion of a test, using spell/grammar check for language arts assessments, and substituting out-of-level testing. Adaptations to statewide assessments invalidate the assessment results and provide non-comparable results.	An alternative or a supplemental curriculum is not based on or drawn directly from the general education curriculum. The most familiar example is the instruction done by special education staff when a student is pulled out of the classroom. If the material used is different from that being used in the general education curriculum, then it is either an alternative or a supplemental curriculum. Reading Recovery is a supplemental curriculum. Using 1st grade material with a 3rd grade student is an alternative curriculum.

After the IEP team has determined what is necessary, the special education teacher or service provider should inform the parent and/or adult student of the following:

a.   The goals and benchmarks/objectives precisely describing the outcomes discussed by the IEP team will be sent to the parent and/or adult student within 3 days.

b.   The proposed IEP will include written notice.

     c.   Upon reviewing the proposed IEP the parent and/or adult student may request revisions to the IEP, if needed.

Following these statements the IEP meeting can conclude.

D. What is an example of an IEP goal and benchmark/objective that results from an IEP team meeting as described in this appendix?

After the IEP meeting, the service providers listed in the IEP service description develop IEP goals and benchmarks/objectives for the student. The goals and benchmarks/objectives are sent to the parent and/or adult student within 3 school days. The purpose of the goals and benchmarks/objectives is to articulate the intended outcomes and the effectiveness of services.

Present Levels of Performance *and* Areas of Need	Annual Goals:	Level of performance expected in a year.
	Benchmarks/Objectives: (required for students taking part of all of the Idaho Alternative Assessment)	At least 2 benchmarks/objectives of how far by when, including how progress will be evaluated.
	Progress Reporting:	How will the parent and/or adult student be informed of progress on this goal?
Susie has good left-right orientation, knows all of the letters, knows beginning sounds, has an accuracy rate of 75% and an error ratio of 1:4 on the running record. She currently reads 35 words per minute at 1.6 grade level. She needs to increase to 70 at 2.6 grade level.	1. Susie will correctly read orally 70 words per minute from grade-level 2.6 text. ▪ By 11/1/06 Susie will read orally 40 words per minute from grade-level 2.0 text. ▪ By 3/1/07 Susie will read orally 55 words per minute from grade-level 2.3 text. ▪ By 5/2/07 Susie will read orally 70 words per minute from grade-level 2.6 text.	

E. What are team members' responsibilities after the IEP meeting?

Many of the team members' responsibilities have been described above, but to clarify and summarize, the following are important steps to effectively complete and implement the IEP:

1. The special education teacher and any other service providers should transfer the notes onto the IEP forms. In some cases this may have been completed at the IEP meeting; however, as long as the parent and/or adult student has been a full participant and understands the decisions made regarding IEP content, finalization of the IEP can occur after the meeting to allow discussion and writing in a less pressured setting. It is wise for the team to set a timeline so that the IEP is completed in a timely manner. Three days is generally reasonable. Notes taken during the meeting may be copied and given to the members at the end of the meeting.

2. When possible, the special education teacher and the general education teacher should meet with the parent and/or adult student immediately following the formal IEP meeting to clarify specific accommodations and/or adaptations to the general education curriculum. This may also take place during the IEP team meeting.

3. Copies of the IEP or some suitable summarization shall be given to the general education teachers working with the student. This will inform and remind them of the accommodations and/or adaptations and the services being provided, and their role in that process.

4. Written notice shall be sent to the parent and/or adult student with a copy of the completed IEP.

Reference:

Bateman, Barbara D. (1992-1996). *Better IEPs: How to develop legally correct and educationally useful programs*. (2nd ed., 3rd printing). Longmont, CO: Sopris West.

Appendix 5B
EARLY CHILDHOOD TRANSITION

Transitions are defined as points of change in personnel who coordinate and deliver services to students with disabilities and their families as well as changes in the actual services. Periods of transition present an array of challenges and a sense of uncertainty to families, educators, and all service providers. Transition issues include the shift from one service system to another, differences in eligibility requirements, new demands for child participation, differing expectations for child behavior and "readiness," new types and levels of staff involvement and training, and philosophical shifts in intervention models. Careful and thoughtful planning by the IEP team will ensure a smooth and coordinated movement between programs and services. The Transition Timeline and Events Checklists contains a summary of activities that facilitate effective transitions for children, their families, and the programs that support them.

In early childhood special education (ECSE) there are two major transition points: (1) when students move from Part C services to Part B services of the Individuals with Disabilities Education Act (IDEA); and (2) when students transition from ECSE preschool programs to the regular kindergarten school-age programs. This appendix delineates the components and responsibilities involved in a coordinated and effective transition process from Part C's early intervention programs to Part B services, or to other appropriate community services.

Section 1. Overview

A. Rationale for Planning Transitions

Transitions are crucial times for decision making about children's services. The transition process should:

1. ensure continuity of services;

2. minimize disruptions to the family system by facilitating adaptation to change;

3. ensure that a child is prepared to function in the receiving program and that service providers are prepared to meet the needs of the child; and

4. fulfill the legal requirements of Parts B and C of the IDEA Amendments of 2004.

Section 2. Legal Requirements for Transition Planning

A. Part B Requirements

Under Part B of the IDEA, the State Department of Education (SDE) shall have policies and

procedures for transition from Part C infant and toddler services to Part B early childhood special education services; these policies and procedures shall ensure that children participating in early intervention programs assisted under Part C will experience a smooth and effective transition to early childhood special education services under Part B. In addition, districts will participate in transition planning conferences arranged by the designated lead agency under Part C, which is the Department of Health and Welfare (DHW) Infant Toddler Program (ITP) in the State of Idaho. Eligibility shall be determined under Part B of the IDEA, and an individualized education program (IEP) or an individual family service plan (IFSP) shall be developed and implemented by the 3rd birthday of a child who is currently receiving services through the Infant Toddler Program.

A referral to consider a special education evaluation should be completed by the Infant Toddler Program, private preschool or childcare providers, Head Start or Even Start programs, or directly from parents. Prereferral and evaluation policies and procedures for all children are located in the Idaho Special Education Manual in C*hapter 3 & 4.* A more detailed description of all the transition requirements can be found in Section 3 of this Appendix.

B.   Part C Requirements

The DHW's Infant Toddler Program is the lead agency for services to infants and toddlers, birth through thirty-six months of age under Part C of the IDEA. The Infant Toddler Program is required to have policies and procedures to ensure a smooth transition for toddlers receiving early intervention services. The policies and procedures shall include a description of how families will be included in the transition plan and, if appropriate, how and when the local district where the child resides will be notified that the child will shortly reach the age of eligibility for early childhood special education services under Part B.

Transition related outcomes and activities shall be incorporated into the IFSP for all children over two years of age or exiting from the ITP. Parents shall be included in planning what types of services and where future services will be provided to their child. When considering the transition, ITP staff will explore a variety of community options with the family (i.e. private childcare programs, neighborhood play groups, Head Start, structured recreational opportunities, developmental preschool programs, etc.) to determine the most appropriate setting that will meet the child and family's need for ongoing support and services after exiting the ITP. A transition planning conference will be scheduled involving representatives from selected program(s) at least 90 days (and at the discretion of all parties, up to 6 months) before the child becomes eligible for those services.

In the case of a child for whom ECSE services in the district may be appropriate, a transition planning conference, with family approval, will be conducted by the Infant Toddler Program with the family and the district. The planning conference will occur at least 90 days (and at the discretion of all parties, up to 6 months) before the child is eligible for Part B ECSE services. Discussion at the transition conference will include information related to the transition process: assessment, service and placement options, or other areas of concern to the family, child, or program personnel.

NOTE: A more detailed description of all the requirements can be found in Section 3 of this Appendix.

Section 3. Implementing the Requirements
of ECSE Interagency Agreements

Since children receive services from different agencies during transition, interagency coordination and cross agency linkages are crucial. These linkages establish lines of responsibility and coordinate facets of the process including child-find, referral and assessment, and eligibility requirements. Interagency agreements exist to ensure a smooth transition from Part C to Part B, or other services, for children with disabilities and their families. A state interagency agreement exists between the SDE, the Infant Toddler Program, Head Start, and Migrant Head Start to clarify responsibilities of each agency during the transition process. A local interagency protocol should also exist between local districts, local Head Start programs, the regional Infant Toddler Program, and other service providers as appropriate to address specific procedures relevant to each local agency.

NOTE: A worksheet for the development of the local *Early Childhood Interagency Protocol* is in this appendix.

Successful transitions promote:

- Family involvement and empowerment by assessing needs, exchanging information, and developing appropriate outcomes
- Appropriate child preparation through assessment of the child and development of steps to help the child adjust to, and function in, new settings
- Effective communications, joint decision-making, and shared responsibility among all team members.
- Placement decisions that meet each child's individual needs
- Uninterrupted services
- Non-confrontational and effective models of advocacy that families can emulate throughout their children's lives
- Avoidance of duplication in assessment and goal planning
- Reduced stress for children, families, and service providers.

A. Interagency Protocols and Components

Local school districts, DHW, Head Start, Migrant Head Start and other local provider representatives agree to develop written interagency protocols that delineate roles and responsibilities. Protocols may be developed by any combination of districts and agencies as locally determined and should be as specific as parties deem necessary. These protocols shall be reviewed annually and updated as needed. The local school district will ensure that interagency protocols are developed. Copies of written protocols will be included in each school districts application for federal funds. Copies of the Interagency Protocols will be distributed to appropriate staff to ensure a clear understanding of and compliance with the protocol. Protocols may include but are not necessarily limited to:

- Contact information for each agency

- Child find responsibilities
- Referral contacts
- Exchange of information
- Team/family transition planning meeting: at least 90 days and up to 6 months prior to the child's 3rd birthday
- Transition contacts/timelines/meeting requirements
- Evaluations
- Use of IFSP or IEP at transition
- Agency dispute process or acceptance and use of the dispute process outlined in this agreement

The interagency protocol may be expanded, at the discretion of the parties, to include specifics regarding the following topics:

- staff positions that will attend the transition planning conference and/or IEP/IFSP team meetings;
- roles and responsibilities of team members attending transition planning conference and/or IEP/IFSP meetings
- procedures and agenda items for required transition and IEP meetings
- procedures for making placement decisions;
- development of community linkages for inclusive environments;
- financial and child count responsibilities;
- transportation arrangements;
- joint training efforts; and
- policies and procedures for exchanging confidential education records.
- process for monitoring the agreement.

B. Agency Responsibilities During Transition

Each agency cooperating in the transition process should be aware of their specific obligations during the procedural requirements listed below. The local interagency agreement protocol between SDE, Infant Toddler Program, Head Start, and Migrant Head Start can be helpful in outlining these obligations in writing.

1. At the **second birthday IFSP**, the Infant Toddler Program will address steps to support transition to meet the needs of the child and family. They will advise the family of placement and service options available, including Head Start and other community resources, for placement when the child turns age 3.

2. The ITP is responsible for **notifying the receiving agency** that children will be transitioning into their program. This notification shall be given at least 6 months prior teach child's 3rd birthday. The ITP is responsible for obtaining parental consent prior to the exchange of confidential information

3. The Infant Toddler Program shall coordinate with the receiving agency to ensure that **existing assessment information** to assist in determining eligibility and programming is compiled and given to the receiving program prior to or at the transition-planning meeting. The team should consider the needs of the child, the assessment tools used, and IDEA requirements for eligibility when determining "how current" an assessment shall be.

4. The Infant Toddler Program will convene a **Transition Planning Meeting** at least 90 days calendar days prior to the child's 3rd birthday. The child's IFSP shall include steps to be taken to support the transition of the child to Part B or other appropriate services. Infant Toddler Program will be responsible for including the family in the transition process and will provide notice to the family of transition activities and of the family's rights under Part B of the IDEA.

5. The district will participate with the Infant Toddler Program in a transition planning conference. A *Referral to Consider a Special Education Evaluation* will be completed and *Procedural Safeguards Notice* will be given and explained to the parents.   The **evaluation team**, including the parent will review existing assessment information, identifying what additional evaluations/assessments, if any, are needed to determine eligibility for Part B services. The evaluation team may meet with or without a face to face meeting, unless requested by parent. Under Part B of IDEA, the parent is a member of the evaluation team and shall be provided an opportunity to give input and participate in making team decisions.

6. If additional assessments are needed, the participants will determine who will be the most appropriate person/agency to conduct needed assessments and *Consent for Initial Assessment* will be obtained by the school district. If no additional assessments are needed and existing assessment data from Part C will be used, parents will be given prior *Written Notice* and notified they may request additional assessments.

7. Agencies should coordinate their efforts together appropriate formal and informal assessment information **determine eligibility under Part B**. The team may use traditional norm- or criterion- referenced assessments, or performance-based assessment to support eligibility determination. Please see Chapter 3 of the Idaho Special Education Manual for complete information on eligibility.
NOTE: Agencies shall ensure that eligibility decisions are made prior to the district's summer break so that the Infant Toddler Program can continue to serve eligible children during the summer months.

8. If the child's **3rd birthday occurs before May 1st** of a given school year, and the child has been determined eligible for service under Part B, the district will provide services from the 3rd birthday through the remainder of the school year unless a local interagency agreement or IEP/IFSP specifies differently.

If the child's **3rd birthday occurs after May 1st** of the given school year and the child has been determined eligible for Part B services and parental; consent for Part B services has been gained, the Infant Toddler Program will provide services throughout the summer until the beginning of the district's school year. New referrals taken during the summer will be processed as soon as possible when the school district resumes services in the fall.

7. The district and/or the Infant Toddler Program will **conduct needed evaluations/assessments** prior to the child's 3rd birthday. Eligibility for Part B services can be determined at the transition planning conference if sufficient information is available and all required evaluation team members are present, or through another method or meeting prior to the child's 3rd birthday. Parents shall be provided a copy of the **Part B** *Eligibility Report.*

8. An *Individual Education Plan* (IEP) can be developed at the transition planning conference (if all required IEP team members are present) or at another IEP team meeting prior to the child's 3rd birthday. Parents shall be informed of their right to invite ITP representatives to the initial IEP meeting. The IEP team, including the parent, will develop an IEP or accept the IFSP, which includes the IEP components. If the district and parent agree to use an IFSP, the district shall provide the parent with a detailed explanation of the differences between an IFSP and an IEP and obtain written consent.

9. The district shall obtain parental **Consent for Initial Placement** in Part B services. The IEP/IFSP team, including the parent, will review all service and placement options after annual goals are selected. Placement discussion should be centered on the least restrictive environment in which the goals can be addressed with supports and accommodations.

10.   All appropriate **records** will be transferred to the new program in a timely manner.

11. **Head Start and Migrant Head Start** will initiate and participate in a transition planning conference with the district for children with disabilities who are enrolled in their programs. Local interagency protocols will specify timelines and responsibilities for transitions from these programs.

Section 4. Collaborative Planning and Coordination

Transitions require a great deal of effective communication and coordination among the agencies and programs that provide services to young children with disabilities and their families. Interagency cooperation shall occur at all levels: agency, building, classroom; and between teachers, developmental specialists, and therapists. Transition agreements and strategies shall be adapted to address different types of services and systems to meet the needs of children and families from different cultural, linguistic, ethnic, racial, and socio-economic backgrounds. Some effective strategies include:

1. ensuring that all participants (family members and professionals), have information about the child/family concerns and priorities;

2. providing families with information in formats that match the needs of the family (written vs. oral, group vs. individual, video) and including opportunities for program visitation;

3. assessing and teaching the skills needed by the child in the next environment; and

4. coordinating training of personnel between programs.

A. Part C Transition Planning

For an effective transition to occur for a specific child, planning should allow for team discussions and the time to make individualized decisions about evaluations, services, monitoring, transition activities, and placement for the child with disabilities.

A Part C transitional IFSP written by the Infant Toddler Program and family, with the participation of the district, should address the following:

1. Assess the sending and receiving environments to determine skills needed by the child;

2. Develop transition goals that will prepare the child for changes in service delivery and help the child adjust to or function in new settings;

3. Develop benchmarks/objectives for the IFSP or IEP including activities that the parent has requested to support transition;

4. Determine what additional information is needed to help the receiving program understand the child's current needs; and

5. Include activities needed by service providers in the receiving program to best meet the needs of the child, for example, site visits, training opportunities, etc.

B. Family/Parent Involvement

The one constant component in a child's life as he or she moves through the continuum of agencies and services is the family. While all children experience transition in their early years, children with developmental challenges and their families may experience more frequent and more intense transitions in necessary services. Family concerns during the transition process are increased by changes in friendship ties and service delivery systems as the child moves from home-based to more center-based and child-focused services. The parent is ultimately responsible for the child's development, education, and social and emotional well-being. Parents should be empowered to function as educated decision makers, caregivers, teachers, and advocates for their children.

Even after the child's transition has occurred, a systematic method for effectively involving the parent should be developed. The following are a few of the many possible materials and activities that may be helpful to parents during the transition process:

- District parent orientation packet

- District parent handbook or manual

- Materials and contacts for Idaho Parents Unlimited

- Parent information or support groups in partnership with IPUL

- Parent-child play groups

- Parent classroom volunteer programs.

It is important to gain information regarding satisfaction toward the transition process, identify areas of continued concern, and generate a list of potential activities that could be implemented. The district and Infant Toddler Program shall ensure that families have all the necessary information regarding program operation, parental rights, and parental responsibilities. A parent handbook is useful in providing this information to the child's family. An emphasis on including parents as equal partners will help ensure a smooth transition for children with disabilities.

Section 5. Early Childhood Transition Activities and Timeline

Child's Age in months/years **Transition Events**	24m/ 2yrs	25	26	27	28	29	30m/ 2- 5yrs	31	32	33	34	35	36m/ 3yrs
Discuss transition with family. Include transition planning in IFSP	▓	▓	▓	▓	▓	▓	▓						
2. Notify school district of pending transition	▓	▓	▓	▓	▓	▓	▓						
3. Schedule and hold transition planning meeting				▓	▓	▓	▓	▓	▓	▓			
4. Schedule and conduct evaluations for eligibility determination							▓	▓	▓	▓	▓		
5. Schedule and conduct Anchor Assessment (may be combined with item 4)							▓	▓	▓	▓	▓		
6. Hold meeting to determine eligibility							▓	▓	▓	▓	▓		
7. Family visits new program options							▓	▓	▓	▓	▓	▓	
8. Receiving agency observes child							▓	▓	▓	▓	▓		
9. Hold IFSP/IEP meeting; determine Least Restrictive Environment (LRE) and placement										▓	▓		
10. Complete Child Outcome Summary Form (COSF)										▓	▓		▓
11. Transfer records to new program												▓	▓
12. Provide COSF and information to District (may be combined with item 11)												▓	▓

Note:

1) All activities shall be completed by the child's 3rd birthday. Shaded areas denote recommended timeframes for completion of activities. Individual needs of families should guide actual completion dates.
2) Items 5, 10, and 12 are related to Child Outcome data collection requirements.

Transition Activities & Timeline (age in months.) *Activities may occur in a different order or combination based on individual cases.*	REQUIRED DOCUMENTATION & FORMS *(Italics denotes a specific form)*	Responsible Party/Agency	Dates Done
1. 2nd Birthday IFSP Meeting (24-30 months)		Sending Agency	
Incorporate preliminary transition activities into IFSP at meeting closest to child's 2nd birthday	IFSP	Sending Agency	
Explore community service delivery options		Sending Agency	
2. Notify school district of pending transition (29-30 months)		Sending Agency	
Make a list for appropriate school districts of which children in their district will be turning three years old in 6 months	Notice to school district	Sending Agency	
3. Schedule and hold transition planning meeting (30-33 months) *** Activities in Step 3 & Step 4 may also occur at this time			
Part C staff invite and coordinate meeting with school district		Sending Agency	
Part C & B staff review records/evaluations	*IFSP transition plan &* evaluations	Sending or Receiving Agency	
Discuss needed changes or additions to IFSP to support transition	*IFSP transition plan*	Sending and Receiving Agency	
Determine need for any evaluations and which agency is responsible. Agency responsible for administering the assessment will gain consent unless interagency agreement states otherwise	Physicians orders (if required) *Consent for Assessment* (if needed)	Sending and Receiving Agency	
Determine if a referral for Part B services is appropriate. Explain to parents their rights under Part B.	*Referral to Consider Special Education Evaluation (Form 320) Procedural Safeguards Notice*	Receiving Agency	
4. Identify Part B evaluation team and conduct evaluations (30-34 months)		Sending and Receiving Agency	
Include the family members on evaluation team and gain input from them on evaluation.	*Request for Input on Evaluation (Form 330)*	Receiving Agency	

Transition Activities & Timeline (age in months.) *Activities may occur in a different order or combination based on individual cases.*	REQUIRED DOCUMENTATION & FORMS *(Italics denotes a specific form)*	Responsible Party/Agency	Dates Done	
Team reviews available information and assessment data to determine if evaluation(s) are needed. This may occur with or without a meeting based on parent preference. Parents informed of right to request additional assessments.	Evaluation Reports *Written Notice* (Form 310)	Sending or Receiving		
Obtain consent to administer and conduct any new assessments.	*Consent for Assessment* (Form 350)			
5. Schedule and Conduct Anchor Assessment for Part C Exit Outcome Data (30-34 months) **May be combined with step 3 &/or 4.**		Sending Agency		
Conduct global anchor assessment addressing all developmental domains.	Consent for Assessment, if necessary	Receiving Agencies		
6. Schedule & hold eligibility determination meeting (30-34 months) This may occur during step 9.				
Parents and agency staff meet to review test results & reports. Determine if the child is eligible for Part B services.	Part B *Eligibility Report* (Form 360)	Receiving Agencies		
7. Schedule family visits exploring program options (32-35 months)		Family		
If desired, arrange for parents to observe potential program options.				
8. Observations of child (32-35 months)		Receiving Agency		
If necessary, receiving staff may observe child in current environment to assist in program planning.	Observation reports			
9. Schedule and hold IEP meeting (33-36 months)		Sending or Receiving		
Arrange with parents a mutually convenient time and location for meeting to develop IEP. Ensure the required IEP members can attend. Inform parent of right to Invite Part C representative to initial IEP meeting.	*Invitation to a Meeting* (Form 400)	Receiving Agency		
IEP team considers IFSP for adoption/adding IEP required components (transportation, ESY, LRE, etc.) Provide parents description of differences between IEP/IFSP.	*Comparison of IFSP and IEP IFSP IEP (* Form 410-460)	Sending & Receiving Agency		

Transition Activities & Timeline (age in months.) *Activities may occur in a different order or combination based on individual cases.*	REQUIRED DOCUMENTATION & FORMS *(Italics denotes a specific form)*	Responsible Party/Agency	Dates Done
IEP team, which includes the parent, determines appropriate services & placement after goals and benchmarks are selected.	*IEP (* Form 420-460)	Receiving Agency	
Gain consent from parents for the initial provision of special education and related services.	*Consent for Initial Placement* for Part B services (includes W*ritten* N*otice*) (Form 460)	Receiving Agency	
10. Complete Child Outcome Summary Form (COSF) for Part C Exit Outcome Data (33-36 months)			
Part C staff gains input from parents on functioning in three outcome areas. reviews data and determines exit outcome ratings for child.	Individual child data documentation from observations, tests, interviews *COSF*		
Complete form and enter results into Data Tot	Data Tot Entry Form	Sending agency	
11. Records transferred to new program (35-36 months)	Student records	Sending Agency	
12. Provide COSF and information to District (may be combined with item 11) (35-36 months)	*COSF*	Sending Agency	

Early Childhood Interagency Protocol
For
School District # _____
Infant Toddler Program, Region _____
Head Start Program _____

Effective Dates: _____to_____

The parties agree to abide by the terms outlined in the State Interagency Agreement, and to utilize the guidance in the Idaho Special Education Manual Appendix 4 C entitled Early Childhood Special Education Transition and the ITP Implementation Manual

District: Name: _____   Phone: _____
IT Program Name: _____   Phone: _____
Head Start: Name: _____   Phone: _____
Other   Name: _____   Phone: _____

Child Find

The district and agencies will _____ conduct joint child find activities.
                      _____ conduct separate child find activities.
If joint, screening to be conducted by: _____
Specify screening location: _____
Specify screening schedule: _____

Referrals
Complete if the referral contact information is different than those listed above.

Contact for new referrals during school year:
District: Name: _____   Phone: _____
IT Program Name: _____   Phone: _____
Head Start: Name: _____   Phone: _____
Other   Name: _____   Phone: _____

Contact for new referrals during summer:
District: Name: _____   Phone: _____
IT Program Name: _____   Phone: _____
Head Start: Name: _____   Phone: _____
Other   Name: _____   Phone: _____

New referrals taken during the summer will be processed as soon as possible when the district resumes services in the fall.

Exchange of Information
Confidential information will be exchanged between agencies according to HIPAA and FERPA regulations and agency protocols.

Transition Meeting

Note: This meeting can be held as early as 2 years 3 months for a child needing extensive transition planning, but shall be held no later than 2 years 9 months of age for any child transitioning to Part B services.

Items marked are required by the district before the meeting:

____ Initial Referral

____ Permission for Initial Evaluation

This information will be sent _____   ____ Current Assessments
week(s) prior to the transition meeting.   ____ IFSP

____ Authorization to Release Info.

____ Other _____

Requested information should be sent to the following:
Name: _____ Address:

_____
Fax: _____E-mail _____
Is faxed/e-mailed information acceptable? _____YES _____ NO

Contact information for Transition Meeting –list primary contact from each agency
 Note: Specific team members may vary depending on the composition of the child's team:

District: Name: _____ Phone: _____

IT Program Name: _____ Phone: _____

Head Start: Name: _____ Phone: _____

Other   Name: _____ Phone: _____

List the preferred day, time, and place for Transition meeting/s:

 Day/Time_____ Meeting place_____

Are these requirements/contacts the same throughout the district? ____YES____NO
If no, please list school and the requirements/contacts that are different: _____
_____

Are these requirements the same for children who receive only speech services? ___YES ___NO
If no, please explain:

   _____
_____

Contact person/s: _____Phone: _____

The Infant Toddler Program will arrange interpreters or accommodations for non-English speaking families if they are needed for the transition meeting.

Other information: _____
_____
_____
_____

Evaluations

How current are evaluations required to be for eligibility determination?   _____
> **Note**: Assessment information should reflect the current functioning of the child. In determining how
> current an assessment shall be, the team should consider the needs of the child, the assessment tools used,
> and IDEA requirements for eligibility. If the assessments are not current or sufficient, the team will
> negotiate the following:

Who will test?   ____ Infant/Toddler ___ District ____ Head Start
What additional assessments are required? _____
When will tests be completed? _____

Child Outcome Summary Form and Anchor Assessment Information

The Infant Toddler Program's Anchor Assessment summary report and the Child Outcome
Summary Form completed at exit will be shared as part of the transition documentation.

The completed COSF will be provided to the district as soon as possible (typically with other
transition documents) and no later than 30 days following the child's third birthday. .

IFSP/IEP

Are current IFSPs used/implemented for fall placement?
__Yes __No ___Individually Determined

*Eligibility for Part B services shall be determined prior to a child's 3rd birthday. In order to
ensure that a child is eligible to receive summer services under the IFSP, this determination
shall be made and confirmed with the Infant Toddler Program. Describe your procedures to
ensure that eligible children can receive summer services through the Infant-Toddler
Program.*

*Consent for placement should be signed in conjunction with either acceptance of the
education-related requirements on the IFSP or the development of the IEP.*

The District will arrange interpreters or accommodations for non-English speaking families if
they are needed for the IEP or IFSP modification meeting.

Preferred meeting location: _____
The IT Program or District (circle one) will call by _____to schedule a
specific date.   (date before the end of the school year)

Dispute Resolution

All participating agencies agree to follow the dispute resolution process outlined in the current
State Early Childhood Interagency Agreement attached to this protocol.

General Provision

This protocol will be kept current by all participating agencies; the LEA has responsibility to initiate the review of this protocol annually. The agreed upon provisions may be modified or changed upon a written amendment signed by all parties. This protocol becomes effective on the date signed by all parties. This protocol shall be renewed annually or more frequently if requested by any of the parties. A copy shall be included in the District's 6-B application for funding in the fall of each year.

Signatures:

By:_____Date_____

    School District Representative

By:_____Date_____

    Infant-Toddler Program Representative

By:_____Date_____

    Head Start Representative

By:_____Date_____

Copies of this protocol are to be distributed to:
Administrators
Service Coordinators
Preschool Teachers
Early Intervention Specialists
Developmental Disabilities Children's Program Supervisor

Appendix 5C
ACHIEVEMENT STANDARDS AND ASSESSMENTS FOR STUDENTS

Section 1. Standards-Based Educational Reform

Idaho schools are engaged in different levels of implementing Idaho Content Standards. Some of the implementation activities include adopting policies, aligning curriculum, setting measurable learning objectives, and aligning curriculum and instruction with the statewide assessment program. In anticipation of these activities, the Bureau of Special Populations Services in collaboration with the Idaho Association of Special Education Administrators formed a joint task force to develop guidelines for schools to ensure that students with disabilities are included in all aspects of implementing Idaho Content Standards. The task force comprised representatives from Idaho Parents Unlimited; the Idaho Association of Special Education Administrators; the Idaho State Department of Education (SDE), Bureau of Special Populations Services; special education teachers; and general education teachers. This appendix is the culmination of the group's work.

A. Definitions

To ensure consistency throughout the implementation process, the task force developed the following definitions:

1. Accommodations

    Changes in the curriculum, instruction, or testing format or procedures that enable students with disabilities to participate in a way that allows them to demonstrate their abilities rather than disabilities. Accommodations are generally considered to include assistive technology as well as changes in presentation, response, timing, scheduling, and settings. Accommodations do not invalidate assessment results.

2. Adaptations

    Fundamental changes to curriculum, instruction, and assessments that enable students with disabilities to participate. Adaptations include strategies such as reading the reading portion of a test, using spell/grammar check for language arts assessments, and substituting out-of-level testing. Adaptations invalidate assessment results and provide non comparable results.

3. General Education Curriculum

    The curriculum that is designed for all students, usually consisting of a common core of subjects and curriculum areas adopted by a district that are aligned to the Idaho Content Standards or district content standards. The general education curriculum is defined by either the Idaho Content Standards or the district content standards if they are as rigorous.

B. Task Force Recommendations

Following several months of research, one of the first activities of the task force was to provide written guidance to policy makers in Idaho regarding the implementation of content standards. To better enable students with disabilities to fully participate in the standards-based educational reform endeavors, the task force made the following recommendations:

1. The district should design its content standards, performance standards, curriculum, and assessments to maximize the participation of students with disabilities.

2. High-stakes educational decisions should not be made solely on the basis of a single test score, but on a variety of assessments, including performance-based assessments and other relevant information.

3. Assessments used for high-stakes decisions about individual mastery should be administered only after implementing changes in instruction and curriculum that ensure students have been taught the knowledge and skills on which they will be assessed.

4. Accountability for standards-based educational outcomes should be the shared responsibility of public officials, the SDE, the district, educators, parents, and students.

5. All students with disabilities will participate in the state or district content standards; however, participation for any given student may require accommodations and/or adaptations of the curriculum, instruction, or assessments. NOTE: Adaptation to statewide assessments provide non comparable results and, under current rules, invalidate assessment results. Adaptation in statewide assessments results in the student being counted as "not tested" and "below basic."

6. Assessment accommodations should be provided, but they should be used only to offset the impact of the disability. They should be justified on a case-by-case basis, but individual decisions should be guided by a uniform set of criteria. NOTE: Decisions regarding accommodations are made by the IEP Team.

7. The individualized education program (IEP) process will continue to be the formal mechanism for deciding how individual students with disabilities will participate in standards-based reforms.

8. The SDE and the district should provide information through the IEP process to students with disabilities and their parents to enable them to make informed choices about the student's participation in standards-based curriculum, instruction, and assessment, as well as to understand the consequences of adaptations as they relate to graduation and post school goals.

9. Even when accommodations and/or adaptations are made in standards-based curriculum assessments for a student with a disability, the assessments should still be challenging yet achievable and reflect the full range of knowledge and skills that the student needs

to live a full, productive life.

10. A statistical reporting system of key indicators should be developed that will monitor both the intended results (such as higher test scores) and the unintended consequences (such as changes in dropout or special education referral rates) for all students. NOTE: Current reporting and monitoring include these key indicators.

11. Even if the individual needs of some students require adaptations of the general education curriculum and/or assessments, these students should be reported in state educational accountability systems.

12. Resources should be made available to districts to support interventions to assist students in meeting Idaho Content Standards.

C. Alignment with IDEA Provisions

The Individuals with Disabilities Education Act (IDEA) provides for the following:

1. Students with disabilities will have access to the content and skills in the general education curriculum.

2. Students with disabilities are included in statewide and district wide assessments, alternate assessments, or both as determined by the IEP team.

3. Students with disabilities are provided accommodations and/or adaptations based on individual needs as determined by the IEP team.

Section 2. IEP Team Roles and Responsibilities

A. Overview

The IDEA 2004 requires that the IEP include a statement of how the student will be involved in and progress in the general education curriculum. In Idaho the general education curriculum is the Idaho Content Standards or the district content standards if they are as rigorous. IEP team roles and responsibilities have expanded with the implementation of Idaho Content Standards. The IEP team is required to address the general education curriculum and participation in statewide and district wide assessments in each student's IEP. To accomplish this, IEP teams shall have working knowledge of the following: (1) Idaho Content Standards, (2) assessment programs, (3) past student performance on assessments, and (4) accommodations and adaptations that enable a student to meet IEP goals aligned to Idaho Content Standards and to participate in assessments.

The team should follow a process which ensures that a student's educational program aligns to Idaho Content Standards, that a student can participate in assessments, and that parents and students have the information necessary to make informed choices.

B. Commonly Asked Questions

1. What impact does the implementation of the Idaho Content Standards and assessments have on IEP team processes?

    a. Parents, students, and other team members need to have an understanding of the state and district content standards and assessments. The district shall provide adequate advance notification of assessments that have consequences for student advancement and graduation.

    b. Present levels of performance, goals, and benchmarks/objectives on the IEP shall be written to reflect the Idaho Content Standards. (Training is available from the SDE, Bureau of Special Populations Services)

    c. Accommodations and/or adaptations to curriculum and instruction need to be carefully considered in relation to the impact on the student's advancement from grade to grade, performance on assessments, and participation in the general education curriculum, which are aligned to Idaho Content Standards. All teachers shall follow any adaptation or accommodation described for an individual student during instruction and/or assessment.

    d. All students, including students with disabilities, shall participate in statewide and district wide assessments. Under the IDEA, the IEP team determines *how* the child participates in statewide and district wide assessments of student achievement.

    e. The IEP team has the authority to determine what, if any, accommodations and/or adaptations are needed for a student to participate in an assessment. Parents, students, and other IEP team members shall understand how the use of accommodations and/or adaptations will affect such things as advancement from grade to grade and graduation with a regular diploma.

2. What are the responsibilities of each IEP team member in a standards-based education?

    a. **Student:** The student needs to have an understanding of the importance of his or her participation in content standards and assessment. The student should know how assessment results could affect advancement from grade to grade, graduation, and post school outcomes, including postsecondary training and education.

    b. **Parent and/or adult student:** The parent and/or adult student provides his or her observations of the student's educational needs especially concerning accommodations or adaptations needed to enable the student to participate in assessments. Both the parent and the adult student should also have an understanding of statewide and district wide assessments and district graduation policies and diploma options. They also need to understand how decisions about participation in assessments affect post school opportunities.

c. **District representative:** The district representative shall be knowledgeable about the general education curriculum, Idaho Content Standards, and statewide and district wide assessments. He or she should be able to explain the district's graduation requirements and diploma options. The district representative should also be able to explain how decisions about participation in assessments affect post school opportunities. The parent and the student shall be provided adequate advance notification of assessments that have consequences for student advancement from grade to grade and graduation.

d. **Special education teacher:** The special education teacher is the team member that should be knowledgeable about accommodations and adaptations to meet the needs of the individual student. He or she should have an understanding of statewide and district wide assessments, curriculum and instructional options, and the consequences of these choices.

e. **General education teacher:** A general education teacher shall participate in the meeting and provide information about the general education curriculum and assessments. If the student has more than one general education teacher, input from each of the student's teachers about the general education curriculum and assessments in his or her area shall be obtained and brought to the meeting.

f. **Others:** Psychologists, speech-language pathologists, occupational therapists, physical therapists, school counselors, paraprofessionals, social workers, service coordinators, vocational rehabilitation counselors, adult service providers, etc., need to have an understanding of Idaho Content Standards and assessments and the impact of assessment results on post school opportunities and transition planning.

Refer to Appendix 4A, Section B for more information on IEP team member roles and responsibilities.

3. How do the Idaho Content Standards affect the way IEP goals and benchmarks/objectives are written?

    The IEP team shall document the specific content standards that present levels of performance, goals, and benchmarks/objectives will address. The IEP team shall initially examine the content standards in relation to the student's need. For example, if the student has a reading need, the IEP team begins by examining the content standards for reading. The grade-level content knowledge and skills designated for each standard can be a good source for identifying appropriate IEP goals. There may be some areas of need not included in content standards that should be covered in IEP goals. (See Section 3 for further explanation.)

4. How is the measurement and progress reporting of goals and benchmarks/objectives affected?

    IEP goals and benchmarks/objectives are to be aligned to the general education curriculum. Therefore, data collection, progress measurement, and progress reporting

would reflect student progress toward Idaho Content Standards.

5.   How can diploma decisions affect post school outcomes?

Discussions about the student's desired educational outcomes, such as graduation and diploma options, should take place within the IEP team meeting as early as elementary school in designing educational programs and making decisions about participation in assessments. Post school outcomes such as postsecondary education may be affected by student achievement of diploma options not endorsed by the state.
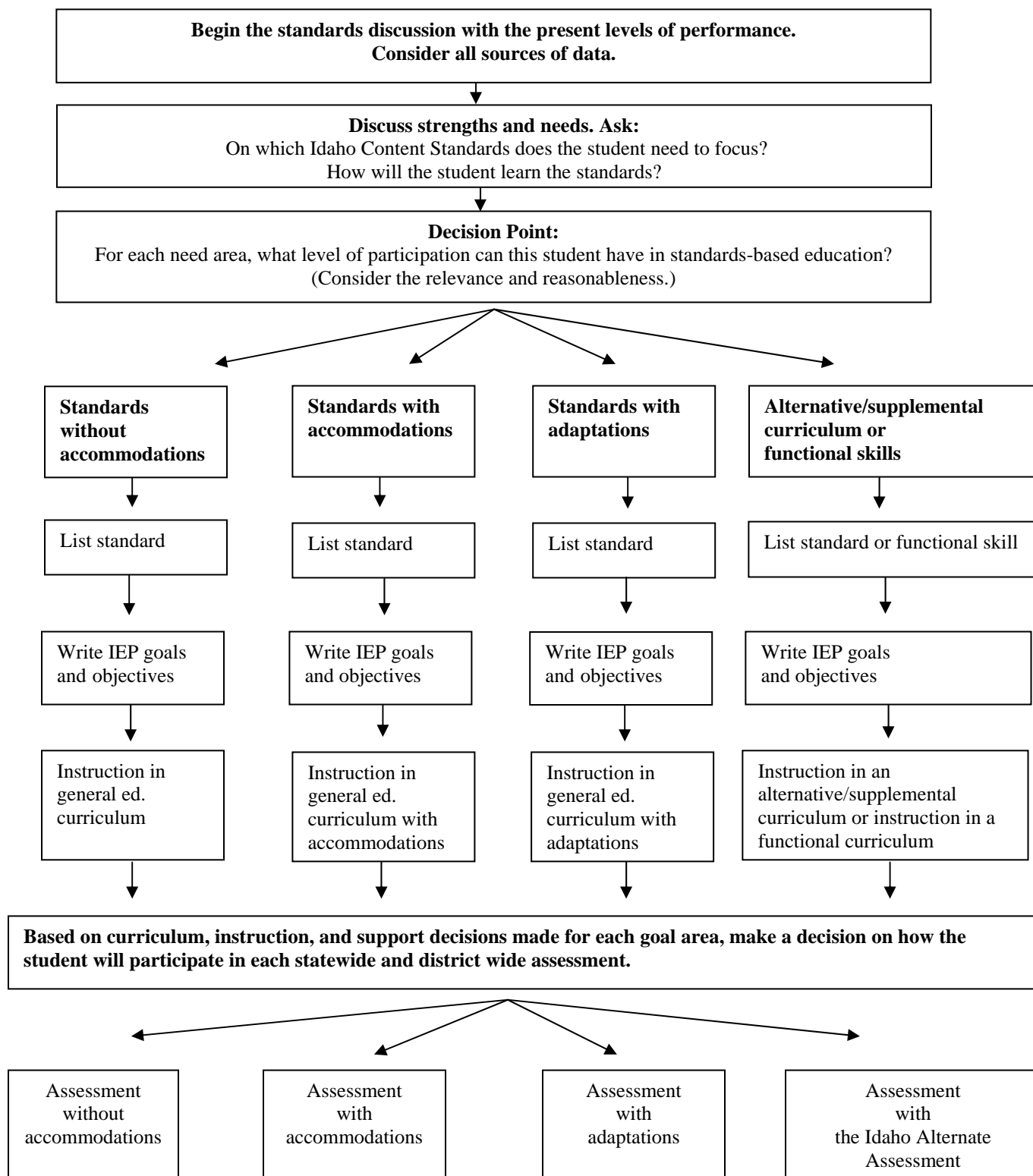
6.   How can the district help prepare IEP teams to implement Idaho Content Standards and support students in participating in assessments?

a.   Include special education staff in development of district content standards.

b.   Schedule training opportunities for IEP teams using the IEP training module developed by the SDE, Bureau of Special

c.   Publish and distribute documentation and train staff on district policies regarding Idaho Content Standards, assessments, and completion of the secondary program.

Section 3. Curriculum Alignment To Content Standards

To afford a student with a disability the opportunity to be involved in and progress in the general education curriculum as required by IDEA, the student's IEP shall be aligned with the general education curriculum. Students with disabilities shall be provided the opportunity to access the general education curriculum and to improve skills in areas for which the student will be held accountable from grade to grade. Aligning the IEP to the general education curriculum provides equal educational opportunity.

Decision-Making Process for Accessing the General Education Curriculum:
Idaho Content Standards and the IEP

Begin the standards discussion with the present levels of performance.
Consider all sources of data.

Begin the standards discussion with the present levels of performance.
Consider all sources of data.

↓

Discuss strengths and needs. Ask:
On which Idaho Content Standards does the student need to focus?
How will the student learn the standards?

↓

Decision Point:
For each need area, what level of participation can this student have in standards-based education?
(Consider the relevance and reasonableness.)

Standards without accommodations	**Standards with accommodations**	**Standards with adaptations**	**Alternative/supplemental curriculum or functional skills**
↓	↓	↓	↓
List standard	List standard	List standard	List standard or functional skill
↓	↓	↓	↓
Write IEP goals and objectives	Write IEP goals and objectives	Write IEP goals and objectives	Write IEP goals and objectives
↓	↓	↓	↓
Instruction in general ed. curriculum	Instruction in general ed. curriculum with accommodations	Instruction in general ed. curriculum with adaptations	Instruction in an alternative/supplemental curriculum or instruction in a functional curriculum

Based on curriculum, instruction, and support decisions made for each goal area, make a decision on how the student will participate in each statewide and district wide assessment.

Assessment without accommodations	Assessment with accommodations	Assessment with adaptations	Assessment with the Idaho Alternate Assessment

Section 4. Instruction

A.   Overview

It is important for all teachers, including special education teachers, to understand the content standards and endorse their value in terms of setting high expectations for students. Further, teachers shall also be able to (1) clearly demonstrate the link between the Idaho Content Standards and their own classroom practices, (2) describe specific expectations regarding the content standards, and (3) develop strategies for students who struggle to learn in a fast-paced environment where there is little time for re-teaching or catching up.

This section is designed to help teachers determine the focus of instruction and offers a variety of instructional strategies to help meet the needs of diverse learners.

B.   Commonly Asked Questions

1.   What does it mean for a student to access the general education curriculum?

   A student has access to the general education curriculum when he or she is in a supportive environment that facilitates learning appropriate knowledge and skills from the state or district content standards. This may involve appropriate accommodations and/or adaptations so the student can progress in the general education curriculum. Nevertheless, the environment where instruction occurs may or may not be the general education classroom. While federal law requires that special education students' programs be aligned to the general education curriculum, the intention of the law was never to put a child in an overwhelming "sink or swim" situation far above his or her instructional level.

   Access works when special education teachers, general education teachers, and administrators do the following:

   a.   Share knowledge of the general education curriculum;

   b.   Have opportunities to discuss what are the most important concepts to teach;

   c.   Share responsibility for ensuring all students have access to the same high quality curriculum and instruction;

   d.   Describe what they expect a student to know or be able to do as a result of instruction in the curriculum;

   e.   Set clear expectations followed by valid measurement of performance;

   f.   Assess student needs concerning learning processes and create appropriate strategies to meet those needs; and

      g.   Brainstorm and collaboratively design instruction with appropriate accommodations and/or adaptations.

2.   Who is responsible for educating students in the general education curriculum?

All educators are responsible for facilitating student learning, regardless of the students' varied backgrounds and abilities. General and special educators need to collaborate to create appropriate accommodations and/or adaptations based on individual needs. The IEP team determines who will do what and in what environment; these decisions are recorded on the IEP.

3.   What changes can be made in the general education classroom?

      a.   Methodology/instruction – changes in the way the lesson is taught;

      b.   Curriculum – accommodations and/or adaptations to the general education curriculum or the use of a functional curriculum;

      c.   Environment – the structure or arrangement of the classroom;

      d.   Materials – visual, auditory, kinesthetic; and

      e.   Flexible options – performances, portfolios, and projects used to demonstrate knowledge or skills and displayed in real-life situations when possible:

         (1) Performance – any knowledge or skill that can be demonstrated (e.g., the use of manipulatives rather than paper-pencil demonstration, oral presentation, or dance);

         (2) Portfolios – work samples of a student's drawings, stories, letters, and poems; audio or videotapes collected frequently over a period of time; and

         (3) Projects – used to assess the ability to reason, to gather and organize facts and ideas, and to produce an integrated work such as written works, photographic essays, musical productions, or technical-type papers that may reflect a long-term or short-term activity.

4.   How can educators create changes that will facilitate learning?

      a.   Have a basic understanding of the student's disability;

      b.   Be clear about lesson objectives. (Does the student know what he or she needs to learn?);

      c.   Determine what tasks, skills (e.g., psychomotor, cognitive, affective), and background knowledge are necessary for the student to complete the lesson;

    d.   Understand the student's learning style, strengths, and needs;

    e.   Plan instruction to enable the student to use and develop his or her strengths;

    f.   Consider what components of the lesson may need to be changed; and

    g.   Determine if the student will be able to meet the lesson objective. Consider if the objective needs to be changed to allow the student to progress in each content area at his or her instructional level.

5.   What does a modified IEP goal look like?

The following is an example of a content standard followed by a general and modified goal:

Content Standard

The student will understand and use customary and metric measurements. (Idaho Math Grade 4, Standard 2).

General Education Curricular Goal

Estimate and measure length, capacity, and mass using these units: inches, yards, miles, centimeters, meters, kilometers, milliliters, cups, pints, kilograms, and tons.

Modified Goal

Estimate and measure length, area, capacity of familiar objects, and places in the student's home and school environments using inches, cups, and pints.

A listing of all Idaho Content Standards may be accessed through the state website at http://www.sde.state.id.us/instruct/standards/default.htm.

6.   What instructional options support student access to the general education curriculum?

There are a variety of models:

    a.   **Co-teaching:** The special education teacher and the general education teacher teach cooperatively alongside each other.

    b.   **Parallel teaching:** The special education teacher works with a small group of students from a selected student population in a section of the general education classroom.

    c.   **Co-teaching consultant:** The special education teacher still operates a pull-out program part of the time, but also co-teaches within the general education classroom several hours a week.

    d.   **Special educator teaming:** The special education teacher teams up with one or more general education teachers to form a team, which is responsible for all of the children with special needs at a particular level.

    e.   **Consultant regarding methods and resources:** The special education teacher provides specialized methods and resources and works with the general education teachers who have students with special education needs in their classroom.

7.   How does the IEP Team ensure that students with disabilities have access to instruction?

    The district should:

    a.   provide training for all general education and special education service providers;

    b.   make IEPs accessible to all general education and special education service providers;

    c.   inform all service providers of their responsibilities under the IEP;

    d.   highlight the importance of fully implementing IEPs in good faith; and

    e.   ensure that non-district service providers are aware, with parental consent, of IEP implications on services they provide.

Section 5. Assessment

A. Purpose

Accountability for results is the focus of standards' reform, and students with disabilities are part of the accountability equation. Students with disabilities are not only to be present and to participate in general education classrooms to the maximum extent appropriate, they are also expected to learn what is being taught. The district should keep in mind that students with disabilities will be assessed on the general education curriculum and their scores will be reported to the public on an annual basis. The purpose of assessment accommodations is to allow the student to demonstrate what he or she knows or is able to do without the barrier of the disability. Accommodations are *not* meant to provide an unfair advantage or to make the student inaccurately appear to have attained certain skills or knowledge.

B. Commonly Asked Questions

1.   Should students with disabilities be included in statewide or district wide assessments?

    All students with disabilities are entitled to be included in statewide and district wide assessments. Each student's IEP shall define how the student will participate in the

statewide and district wide assessments. See 20 U.S.C 1412(a)(17); 34 C.F.R. §300.138; *Joint Policy Memo,* 27 IDELR 138; 20 U.S.C. 1414(d); 34 C.F.R. §300.347.

2. Who determines how the student will participate in assessments?

    The IEP team determines how the student will participate on each statewide or district wide assessment. The team's decision will include whether the student will (a) take the regular assessment without accommodations, (b) take the regular assessment with accommodations and/or adaptations, or (c) take the alternate assessment. Accommodations and adaptations on statewide or district-wide assessment shall be listed for and used in classroom assessments. Adaptations on statewide assessments result in significant consequences related to Adequate Yearly Progress determinations.

3. What if the required assessment seems inappropriate for a student?

    If the required assessment seems inappropriate for a student, the IEP team will check to see whether the student meets all three criteria for taking the Idaho Alternate Assessment (IAA). If the student meets all three criteria, he or she can be assessed with the IAA. If the student does not meet all three criteria for the IAA, the IEP team shall determine what accommodations and/or adaptations are necessary for the student to participate in the regular assessment.

4. What legal issues have been upheld in court?

    a. States and school districts have a right to establish educational standards.

    b. Measuring a student's progress on a state-established standard may lawfully include an examination.

    c. Equal opportunity is required, not equal result.

    d. Tests are permitted in the area of a student's disability if the skills, knowledge, aptitude, or achievement in that particular area is the object of measurement. An example is testing a student in reading even though the student's disability affects reading.

    e. Federal nondiscrimination laws are consistent with the establishment of high standards of learning for all students and with sound educational practices designed to meet high standards.

5. What is the difference between a testing accommodation and a testing adaptation?

    Accommodations are changes in the curriculum, instruction, or testing format or procedures that enable students with disabilities to participate in a way that allows them to demonstrate their abilities rather than disabilities. Accommodations are generally considered to include assistive technology as well as changes in presentation, response, timing, scheduling, and settings. Accommodations do not invalidate assessment results.

Adaptations are fundamental changes to curriculum, instruction, and assessments that enable students with disabilities to participate. Adaptations include strategies such as reading the reading portion of a test, using spell/grammar check for language arts assessments, and substituting out-of-level testing. Adaptations invalidate assessment results and provide non comparable results.

6. Who determines what accommodations and/or adaptations are necessary for a student on statewide and district wide assessments?

   The IEP team selects the accommodations and/or adaptations for each statewide and district wide assessment from only those accommodations and adaptations that the student receives for classroom instruction and assessment on a regular basis.

7. What are reasonable accommodations?

   IEP team decisions regarding assessment accommodations and/or adaptations should be consistent with those provided for classroom instruction and classroom testing. Reasonable accommodations are those the student needs to be able to participate and demonstrate his or her knowledge. Accommodations selected cannot fundamentally alter or lower the assessment standards.

8. Where can an IEP team find accommodations that do not invalidate the results of a particular assessment?

   Test producers determine accommodations that do not invalidate their test results. These can generally be found in the test producer's test manual.

9. What action should the IEP team take if it recommends or selects an assessment adaptation?

   Adaptations invalidate assessment results and provide non comparable results. The IEP team, including the parent and/or adult student, shall be fully informed of the potential consequences of an adaptation, including consequences for graduation requirements and post school outcomes. If the IEP team selects an assessment adaptation, the team shall specify on the test protocol how the score will be included in the state and district reports.

10. Will the district be held accountable for students who participate in alternate assessments?

    Yes. Districts will be accountable to see that every student is included in the assessment system. They will also be held accountable for student growth.

11. What options are available for high school students who do not pass the Idaho Content Standards assessments?

In Idaho, districts have the authority to determine graduation requirements and award diplomas. Parents, educators, and students shall be made aware that failure to pass the Idaho Content Standards assessments may limit students' diploma options as well as post school options in areas such as education, vocation, and military service.

12. How much advance notice to parents and students regarding high-stakes assessments is recommended, based on case law?

Although the law does not provide a specific number of years, most courts seem to find three to six years appropriate. See *Board of Education of Northrop-East Northport Union Free School District v. Ambach,* 60 N.Y. 2d 758 (1983).

13. What constitutes a fair assessment?

For an assessment to be considered fair, it shall align with curriculum, instruction, accommodations, and adaptations. The IEP team will determine for each student how he or she will participate in statewide and district wide assessments. See *Debra P. v. Turlington,* 644 F.2d 397 (5th Cir. Fla, 1981).

14. How does a student with a disability earn a regular diploma?

Students may receive a regular diploma by: (1) meeting the Idaho Content Standards and passing the ISAT 10, (2) meeting criteria established by the district's Alternate Route to Graduation, or (3) meeting criteria established by the student's IEP Team. See Chapter 7.

Every district shall provide special education and related services to a student with a disability in accordance with the student's IEP and shall make a good-faith effort to assist the student in achieving the goals and benchmarks/objectives outlined in the IEP. It is critical that IEPs be aligned to the state or district content standards and assessments to ensure that students with disabilities have access to appropriate instruction prior to assessment. Graduation meeting the general education requirements ends a student's entitlement to FAPE. Students with disabilities who do not meet the district requirements for graduation are entitled to special education through the semester in which they turn age 21.

Section 6. Statewide Assessment Accommodations Guidelines

A. Overview

Including students with disabilities in the statewide accountability process ensures that their needs will be considered in school reform efforts. Sometimes accommodations and/or adaptations are necessary for students to demonstrate their ability without the impediment of their disability. If accommodations and/or adaptations are listed on the student's IEP and are used regularly for classroom instruction and classroom testing, the IEP team may decide that the

student needs similar accommodations and/or adaptations during statewide and district wide assessments.

The purpose of accommodations and adaptations is to allow the student an opportunity to demonstrate his or her true level of achievement with the greatest accuracy, but not to create an unfair advantage. The IEP team determines *how* the student will participate in statewide and district wide assessments; that is, how accommodations, adaptations, regular assessments, and alternate assessments will be combined, if at all, to meet the student's needs.

B. About Accommodations for Instruction and Assessment

1. What Are Accommodations?

    Accommodations are practices and procedures in the areas of presentation, response, setting, and timing/scheduling that provide equitable access during instruction and assessments for students with disabilities.

    Accommodations are intended to reduce or even eliminate the effects of a student's disability; they do not reduce learning expectations. The accommodations provided to a student shall be the same for classroom instruction, classroom assessments, and district and state assessments. It is critical to note that although some accommodations may be appropriate for instructional use, they may not be appropriate for use on a standardized assessment. There may be consequences (e.g., lowering or not counting a student's test score) for the use of some accommodations during state assessments. It is very important for educators to become familiar with state policies regarding accommodations during assessments.

    Typically, accommodation use does not begin and end in school. Students who use accommodations will generally also need them at home, in the community, and as they get older, in postsecondary education and at work. Accommodations for instruction and assessment are integrally intertwined.

2. Description of Accommodation Categories

    Accommodations are commonly categorized in four ways: presentation, response, setting, and timing and scheduling:

    a. Presentation Accommodations: Allow students to access information in ways that do not require them to visually read standard print. These alternate modes of access are auditory, multi-sensory, tactile, and visual.

    b. Response Accommodations: Allow students to complete activities, assignments, and assessments in different ways or to solve or organize problems using some type of assistive device or organizer.

    c. Setting Accommodations: Change the location in which a test or assignment is given or the conditions of the assessment setting.

d.   Timing and Scheduling Accommodations: Increase the allowable length of time to complete an assessment or assignment and perhaps change the way the time is organized.

C. Modifications or Alterations vs. Accommodations

1.   Accommodations do not reduce learning expectations; they provide access. However, modifications or alterations refer to practices that change, lower, or reduce learning expectations. Modifications can increase the gap between the achievement of students with disabilities and expectations for proficiency at a particular grade level. Using modifications may result in implications that could adversely affect students throughout their educational career.

2.   Description of Accommodation Categories

Accommodations are commonly categorized in four ways: presentation, response, setting, and timing and scheduling. Examples of modifications include:

a.   requiring a student to learn less material (e.g., fewer objectives, shorter units or lessons, fewer pages or problems),

b.   reducing assignments and assessments so a student only needs to complete the easiest problems or items,

c.   revising assignments or assessments to make them easier (e.g., crossing out half of the response choices on a multiple-choice test so that a student only has to pick from two options instead of four), or

d.   giving a student hints or clues to correct responses on assignments and tests.

Providing modifications to students during classroom instruction and/or classroom assessments may have the unintended consequence of reducing their opportunity to learn critical content. If students have not had access to critical, assessed content, they may be at risk for not meeting graduation requirements. Providing a student with a modification during a state accountability assessment may constitute a test irregularity and may result in an investigation into the school's or district's testing practices.

Appendix 5D
EXTENDED SCHOOL YEAR

Extended school year (ESY) services shall be considered annually for all students who have an individualized educational program (IEP). The district shall provide ESY services to students with disabilities who qualify for such services. Extended school year programs for eligible students shall meet the requirements of a free appropriate public education (FAPE).

A. Definition

"Extended school year services" means special education and related services provided beyond the regular school year that are:

1.   provided to a student with a disability;

2.   beyond the normal school year of the district;

3.   in accordance with the student's IEP; and

4.   at no cost to the parent and/or adult student.

The goal of ESY is to assist students with disabilities with the emergence, maintenance, or generalization of specific IEP goals and benchmarks/objectives from the school year preceding the ESY. These may include goals and benchmarks/objectives related to independence, behavior, socialization, communication, and academics. ESY services for special education students provide a different focus from general summer school programs. Some students with disabilities cannot receive an appropriate education if they do not receive some type of ESY program.

B. Determination of the Need for ESY

ESY services can be based on one or more of three general areas using the following guidelines. When the answer is yes to all questions within one area, there is a strong indication that ESY services are warranted.

1.   Emerging Skill

ESY shall be considered when few, if any, gains are made during the general school year and a skill is in the process of emerging. In addition, the IEP team believes that with ESY services the student could make reasonable gains. The IEP team should collect documentation to determining the following:

a.   Does progress toward goals and benchmarks/objectives over an extended period show few if any gains?

b.   Is a skill emerging?

    c.   Does documentation support that ESY services are needed to avoid irreparable loss of the learning opportunity?

2.   Regression-Recoupment

ESY services shall be considered when the student would regress to such an extent and the amount of time required to relearn a skill or behavior would become so significant that the student would be unable to benefit from his or her special education program. The IEP team should collect documentation to determine the following:

    a.   Do progress reports and data show that the student demonstrates periodic regression that is related to breaks in instruction throughout the school year?

    b.   Do progress reports and data show that the student regresses and cannot relearn the skills in a reasonable amount of time following the breaks?

    c.   Does documentation support a finding that without ESY services the student would regress to such an extent and have such limited recoupment ability that he or she would be unable to benefit from his or her special education program?

3.   Self-Sufficiency

ESY services shall be considered when the acquisition of critical life skills that aid in the student's ability to function as independently as possible would be threatened by an interruption in services. In addition, the IEP team believes that continued services would reduce the student's reliance on caretakers or institutionalized care. Critical life skills relate to those skills that lead to independent functioning. Development of these skills can lead to reduced dependency on future caretakers and enhance students' integration with non-disabled individuals. Skills may include such things as toileting, feeding, mobility, communication, dressing, self-help, and social/emotional functioning.

In considering which goals are critical life skills, the IEP team shall consider the following: (1) How old is the student? (2) How many years does the student have left in school? (3) Is the skill required across a number of current environments? (4) Is the skill required across a number of future environments? (5) If the student does not perform the skill, will someone else have to do it for him or her?

The IEP team should collect and document information to determine the following:

    a.   Does documentation identify critical life skills that are needed for independence?

    b.   Will failure to maintain acquired critical life skills cause major or permanent loss of the skills and create a dependence on caregivers?

    c.   Without ESY services, would the student fail to maintain these critical life skills?

C. ESY IEP Development

ESY services shall be clearly delineated in an IEP. The district can meet this requirement by amending the current IEP using an amendment form or developing a complete ESY IEP. Both require an IEP team meeting. A copy of the IEP or amendment and written notice shall be given to the parent and/or adult student.

D. Basic ESY Concepts

1. To be considered for ESY services, the student shall be identified as having a disability and shall currently be receiving special education services as defined by an IEP or individual family service plan (IFSP).

2. Determination of the need for ESY services shall be made only for the immediate period of interruption of the instructional program. The provision of ESY services for the immediate period does not imply that ESY services will be required for subsequent periods.

3. The skills that are the focus of the ESY services are determined at the time of the development of the IEP. They shall be appropriate for the student, shall consider the student's ability to acquire the skill, and shall be a priority for the student's developmental age.

4. The student's educational program is based on individual needs and not determined by what programs are readily available within the district.

5. The student cannot be required to fail, or to go for an entire year without ESY services, simply to prove a need.

6. The IEP team will determine the duration, frequency, and type of services that each student will receive during the ESY. The goals and benchmarks/objectives should be continuations of all or part of the previous year's IEP, although ESY instruction may be modified to enhance the emergence, maintenance, and/or generalization of skills.

7. The district will not automatically or categorically exclude or include any student or group from consideration for ESY services. However, only those who will be severely impacted by an extended break in instruction should be enrolled.

8. ESY services may include special education and related services. ESY services may be only related services.

9. ESY is not subject to the same LRE considerations that apply during the regular school year. First, the same LRE options may not be available, and second, for some students, the appropriate LRE may be at home with the other family members and with only very limited ESY services.

10. ESY will be provided when ordered by a due process hearing officer. If the district chooses to appeal, the student will be placed in ESY pending the result of the appeal.

E. When ESY Is Not Appropriate

ESY services were never intended to serve as the only resource available to parents and students. The district is encouraged to assist families in using community resources to meet their particular needs during periods of extended breaks. The district should not offer ESY services when it is inappropriate to do so. The following list is intended to help clarify decisions on ESY services.

1. The IDEA does not mandate that year-round services be provided for all students with disabilities.

2. ESY services are not required for the convenience of the school or parent and/or adult student and, therefore, cannot serve as a day-care or respite-care service.

3. The IDEA does not require that ESY services be provided to maximize educational opportunities for a student with a disability.

4. It is not necessary to continue instruction in all of the previous year's IEP goals and benchmarks/objectives during the ESY period. The focus should be on those specific goals and objectives that would be severely impacted by an extended break in instruction.

5. ESY programs are not summer recreation programs.

6. ESY services are not to be considered in order to help students with disabilities advance in relation to their peers.

7. ESY services are not designed for students who exhibit random regression or regression that is solely related to medical problems resulting in degeneration, or who are experiencing transitional life situations such as divorce or death of a family member.

F. Data Sources for ESY Decisions

Decisions for ESY services shall be based on data collection and written documentation. Types of data may include, but are not limited to, the following.

1. **Criterion-referenced test data:** Consider daily/weekly probes or pretest/post-test data.

2. **Norm-referenced test data:** Consider pretest/post-test data.

3. **Anecdotal records:** Consider information collected throughout the school year.

4. **Physical, mental, emotional, or health factors:** Consider the educational, medical, or psychological records of the student as well as the prognosis or judgments of educators, medical personnel, parents, and others that work with the student. Consider degenerative types of difficulties that may become intensified during breaks in educational programming.

5. **Past history:** The IEP team should consider evidence of past regression, or past ESY services. It should not automatically be assumed that a student who has received ESY services in the past will be eligible in the future, but it is a factor to consider.

6. **Data-based observations:** Consider empirical data maintained on the student from performance in the classroom or community-based activities as well as the IEP data.

7. **Teacher interviews and recommendations:** Consider progress reports by teachers, therapists, and others having direct contact with the student before and after breaks in educational programming.

8. **Parent and/or adult student input:** Consider parent observations of the student as well as parent and/or adult student requests for ESY services.

G. ESY Program Models

The IEP team will determine the duration, frequency, and type of services that each student will receive during the ESY program. The goals and benchmarks/objectives should be continuations of all or part of the previous year's IEP, although ESY instruction may be modified to facilitate the emergence, maintenance, and/or generalization of skills.

ESY services may not necessarily be provided in a classroom setting. For example, some students may need services provided in the home or at an alternative location.

Types of ESY programs may include, but are not limited to:

1. training for the parent before breaks in programming;

2. home-based programs that may include parent training;

3. school-based programs;

4. cooperative programs with other agencies;

5. contracting with another agency; and

6. related services.

H.   ESY in Year-Round Schools

The need for ESY services is less critical when schools operate on a year-round basis because the breaks from instruction are shorter than the normal three-month break. When the student's needs require instruction during breaks, ESY shall be provided. The analysis for determining eligibility and the type of ESY program to be provided is the same as that for ESY programs in schools that operate on a traditional calendar.

I.   Staff Considerations

Staffing options might include local Highly Qualified certificated staff, supervised university practicum students, supervised student teachers, supervised trained paraprofessionals, cooperative multidistrict programs, or contracted/purchased services with agencies.

Appendix 5E
TRANSPORTATION OF STUDENTS WITH DISABILITIES

As part of a free appropriate public education (FAPE), students shall be able to access their education. In some cases special transportation services are needed for students with disabilities to access special education; in these cases, the district has a responsibility to provide transportation services at no cost to the parent. As with other related services, transportation shall only be provided to assist a student with a disability to benefit from special education. The least restrictive environment (LRE) requirement applies to all elements of the student's educational program, including transportation.

Section 1. District Responsibility

The district shall provide transportation to a student with a disability when the student requires transportation in order to benefit from his or her special education. If transportation is provided as a related service, the district shall keep in mind the following:

1. The district may not shorten the school day for students with disabilities merely to accommodate bus schedules. Students with disabilities shall be provided a comparable length of school day and week as students without disabilities, unless there is a specific reason (usually medical) for a shorter or longer school day.

2. The district is expected to transport a student whose academic schedule extends beyond typical school hours.

3. Transportation to and from extracurricular activities shall be provided only when participation in the activity is required for the student to benefit from his or her special education.

The IEP team makes the decision regarding transportation services for each student based on individual needs.

Section 2. IEP Team Decision

It is assumed that most students with disabilities will receive the same transportation provided to students without disabilities, unless the IEP team determines otherwise. The student's individual needs are the main consideration in making a transportation recommendation. Decisions regarding transportation services shall also take into account the LRE.

The IEP team shall consider how the student's disability affects the student's need for transportation, including the determination of whether the student's disability prevents the student from using the same transportation provided to students without disabilities, or from getting to school in the same manner as students without disabilities. Transportation services

shall be considered in all cases where a student with a disability is unable to get to and from school independently for any of a variety of reasons including, but not limited to, the following:

1. a physical disability;

2. a cognitive disability;

3. a health condition;

4. a behavioral/emotional disability that is so severe or erratic that there is concern for the safety of the student and/or others;

5. a communication disability that prevents the student from communicating for safety;

6. a visual and/or hearing disability; or

7. a child's age (e.g., a two-year-old child who needs transportation services to participate in early childhood special education).

Section 3. Transportation Representative as IEP Team Member

A transportation representative may be included on the IEP team. If the representative cannot attend, his or her input can be obtained through alternate means. The representative could help the IEP team members understand the transportation environment including such considerations as:

1. the type and configuration of the vehicle the student would likely be assigned to ride;

2. the probable length of the ride, including pick-up and drop-off times;

3. the conditions with respect to temperature on the bus in cold weather while the door or wheel-chair lift door are open during loading and unloading procedures;

4. the type of device or occupant securement system to be used;

5. whether the vehicle is equipped with an emergency communication system;

6. the degree of training and skills of the driver and bus attendant if appropriate; and

7. whether a bus attendant would be assigned without specific recommendation from the team.

The transportation representative would also gather information from the team about the expected transportation needs so as to properly plan for a timely, efficient, and safe initiation of the transportation service. If not a part of the IEP team, information regarding the related service

of transportation shall be communicated to the transportation representative so that the student's services can be arranged.

Section 4. Determining Special Transportation Needs

If the student has medical, physical, or behavioral issues, the following questions may need to be addressed by the IEP team.

1. Can the student be safely transported, without undue risk to the student or others, given the transportation environment including the length of the ride?

2. Does the student have medical, physical, or behavioral concerns that would expose him or her to unreasonable risk given the anticipated transportation environment?

3. Can assistive or adaptive equipment identified as necessary to accommodate the student during the transportation process (such as a mobile seating device, gurney, ventilator, or oxygen equipment) be safely secured and transported, and are there adequate instructions regarding its use?

4. Does the student have a health care plan that specifies (a) the type and frequency of care required or expected, (b) the skill level of the person expected to give the care, (c) whether general observation of the student by the driver would be adequate, or (d) whether a staff person independent of the driver is needed to address the student's needs?

5. Does the student have a behavioral intervention plan outlining positive behavior strategies and supports to address behavior when needed? Does that plan include strategies and supports for the transportation environment? Is the driver aware of the plan and trained to handle possible situations? Is another adult needed on the bus?

Section 5. Managing Behavior on the Bus

When the IEP team determines that special transportation is required and documents it on the IEP as a related service, all procedural safeguards under the IDEA shall be afforded to the student in matters concerning transportation. When a student misbehaves on the bus, the district may use the same disciplinary methods used to address misconduct within the school. These measures may include reprimands, suspensions, or removals. Whenever discipline is imposed, the district shall follow the applicable rules for disciplining students with disabilities as outlined in Chapter 7. If a student is a danger to self or others, the student's transportation services may be altered. Proper training of bus drivers and paraprofessionals can help prevent misconduct.

Whether a suspension from the bus counts as a suspension from school depends on the following:

1. If bus transportation is on the IEP (meaning transportation is required for the student with a disability to benefit from special education), a suspension from the bus would be treated as a suspension from school, unless the district provides transportation service in some other way, because that transportation is necessary for the student to obtain access to the location where all other services will be delivered.

2. If bus transportation is not on the IEP, a suspension from the bus would not be counted as suspension from school. In these cases, the student and the parent would have the same obligations to get to and from school as a student without a disability who had been suspended from the bus.

If the IEP requires special transportation and the student's behavior on the bus results in a suspension from the bus, the IEP team shall determine whether the behavior on the bus is similar to behavior in the classroom that is addressed in an IEP. If the behavior is not similar, the IEP team should consider developing a behavioral intervention plan for the bus behavior. Training of transportation staff may be appropriate.

Section 6. Resources

The Bureau of Finance and Technology Information, Student Transportation Services at the State Department of Education website at www.sde.idaho.gov/finance/transport/ offers many materials and links related to transportation for students with special needs. For more information, visit the website or call, 208/332-6851.

The following publication is not available from the State Department of Education; however, the publication can be obtained from the publisher:

The Road to Compliance: Legally Transporting Students with Disabilities. (1998).
Available from LRP Publications, 747 Dresher Road, P.O. Box 980, Horsham, PA 19044-0980.
Phone: 215/784-0920 or 800/341-7874. Fax: 215/784-9639.